

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H13-0728-25 **Applicant:** Woodola Group Ltd

Proposal: Details of schedule of external materials, means of surface water disposal, Construction Management Plan & Method Statement and boundary treatments (Conditions 3, 4, 5 & 6 of H13-0981-24)

Location: Land To Rear Of 22-26 Broad Lane Moulton Spalding

Terminal Date: 19th September 2025

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework December 2024

Representations:

	Object	Support	No Obj.	Comments
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Description of Proposal

This application seeks to discharge conditions 3, 4, 5, 6 and the statutory biodiversity gain condition of H13-0981-24. These conditions concern: external materials, means of surface water disposal, a Construction Management Plan & Method Statement, boundary treatments, and biodiversity net gain.

Site Description

The site is within the settlement of Moulton, defined in the South East Lincolnshire Local Plan, 2019. The location is fairly central, being located approximately 100 metres east of The John Harrox

Primary School. The site is located to the rear of a white rendered, large two-storey home.

The area is characterised by a mixture of residential developments, although there is a preference towards two-storey, red-brick houses along the frontage. Back-land developments, such as that proposed here, are common in the area, with these dwellings typically taking the form of red-brick bungalows. The site is approximately 0.16 hectares. Large boundary treatments are currently in situ, taking the form of well established trees and hedges (over 2 metres in height) to the east and north, an approximately 2 metre high brick wall to the south, and a 1.8 metre high close boarded fence to the west. The site is in flood zone 1 on the Environment Agency's Flood Maps for planning.

Relevant History

H13-0882-16 - Outline. Residential development - 2 buildings plots. Approved 31-10-16.

H13-0406-23 - Outline. Erection of one dwelling. Approved 14-06-23.

H13-0446-24 - Full. Proposed two storey rear extension, including demolition of existing single storey rear projection. Approved 22-07-24.

H13-0981-24 - Full. Proposed erection of two 1.5 storey detached dwellings with attached garages, vehicular access and landscaping. Approved 27-01-25.

Consultation Responses

The responses received from consultees during the initial consultation exercises, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

Highway and Lead Local Flood Authority

"No objection - The Details of schedule of external materials, means of surface water disposal, Construction Management Plan & Method Statement and boundary treatments (Conditions 3, 4, 5 & 6 of H13-0981-24) are acceptable in accordance with approved drawings and details submitted with this application."

Environmental Protection

"No concerns regarding CMP"

South Holland Internal Drainage Board

"Byelaw 3 (Surface Water)

The applicant proposes to discharge surface water to a sewer, which is the least sustainable method of surface water disposal within the drainage hierarchy. I recommend that you satisfy yourselves that this proposal is in line with the drainage hierarchy (as per best practice) and is viable in this location.

Byelaw 3 (Treated Foul Water)

I note that the applicant intends to dispose of foul water to a main sewer. Should the applicants proposals change to include the discharge of treated foul water to a watercourse, consent would be required under Byelaw 3"

Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no letters of representation have been received.

Key Planning Considerations

Condition 3 - Materials

Wording

"Before the commencement of the development hereby permitted beyond oversite a schedule of external materials of construction of buildings and hard surfaced areas shall be submitted to and

approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the materials so approved."

Assessment

The proposed materials are as follows:

- Roof tiles - Marley Eternit Thrutone fibre cement slate roof tiles - blue/black
- Windows and doors - UPVC - grey
- Bricks - Crest Flemish Antique - mixed red
- Render - "K rend", silicone application, scraped finish - polar white
- Rainwater goods - UPVC - black
- Driveway - Charcoal block paving, with contrasting grey edge details
- Patio and circulation around dwellings - natural riven slabs - grey

The above materials are considered acceptable. The materials are akin to those currently within the locale, helping to integrate the proposed dwellings with the wider area. All materials selected appear consistent with the overarching design philosophy for the development.

As such, the materials proposed are considered acceptable and condition 3 can be discharged.

Condition 4 - Surface Water Disposal

Wording

"Before any development beyond oversite is commenced, full details of the means of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be implemented in full before the development hereby permitted is first brought into use."

Assessment

It is proposed that roof water and surface water would be enter drains placed strategically around the site. The drains would carry water westwards towards the main Anglian Water combined sewer. Discharge into a combined sewer is seen as the least favourable option within the drainage hierarchy; however, seeing as percolation tests have demonstrated that infiltration is not a viable method of surface water disposal, and no water bodies or surface water sewers are present in the area, the proposed method is considered acceptable.

It should be noted that Anglian Water have a holding objection against proposals in the Moulton Water Recycling area. However, at the same time, Anglian Water are obliged to accept any additional flows. If an agreement between Anglian Water and the developer/ occupant of the site cannot be reached, and therefore, a change in surface water drainage scheme is necessitated, then Condition 4 would in effect not be discharged. In this eventuality, a new application to discharge Condition 4 would be required.

As such, Condition 4 can be discharged.

Condition 5 - Construction Method and Management Plan

Wording

"The development hereby permitted shall be undertaken in accordance with a Construction Management Plan and Method Statement that shall first be submitted to, and approved in writing by, the Local Planning Authority.

The Construction Management Plan and Method Statement shall indicate measures to mitigate against the adverse impacts of vehicle movements and vehicle parking and shall include;

- the phasing of the development to include access construction;
- the parking of vehicles of site operatives and visitors;
- the loading and unloading of plant and materials;
- the storage of plant and materials used in constructing the development;
- wheel washing facilities;
- a strategy stating how surface water run off on and from the development will be managed during

construction

-details of appropriate mitigation to prevent harm to existing trees on and adjacent to the site"

Assessment

The submitted details are considered to be acceptable. All points necessitated by Condition 5 have been assessed adequately.

As such, Condition 5 can be discharged.

Condition 6 - Boundary Treatments

Wording

"Prior to its installation, details of the proposed boundary treatments, including a schedule of fencing levels, heights and materials, and details of the size and species of any hedging, shall be submitted to and approved in writing by the Local Planning Authority, and the details so approved shall be implemented in full before the development is first brought into use and retained thereafter."

Assessment

Proposed to the north, east and west site boundaries, as well as the internal site boundary between Plots 1 and 2, is a 1.8m high timber close boarded fence. Seeing as the neither dwelling would have a raised floor level, this is considered to be acceptable.

The existing 2m high brick wall along the southern boundary is to be retained. This is considered acceptable.

Biodiversity Net Gain

Wording

Paragraph 13 of Schedule 7A of the Town and Country Planning Act, 1990, inserted by the Environment Act, 2021, states the following:

"(1)Every planning permission granted for the development of land in England shall be deemed to have been granted subject to the condition in sub-paragraph (2).

(2)The condition is that the development may not be begun unlessâ??

(a)a biodiversity gain plan has been submitted to the planning authority (see paragraph 14), and

(b)the planning authority has approved the plan (see paragraph 15)"

Assessment

While a confirmation of purchase for the necessary units from a recognise Environment Bank have been provided, no gain plan, as stipulated by Paragraph 14 of Schedule 7A of the Town and Country Planning Act, 1990 has been provided. Therefore, the proposal is unable to meet the requirements of Schedule 7A of the Town and Country Planning Act, 1990, and the condition cannot be discharged.

A gain plan and confirmation a confirmation of purchase for the necessary units from a recognised Environment Bank have been provided. As such, the proposal is considered to meet the requirements of Schedule 7A and the statutory biodiversity gain condition is discharged.

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:

A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act

B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share

a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

Conclusion

The details provided are considered to be acceptable and conditions 3, 4, 5, 6 and the statutory biodiversity gain condition related to H13-0981-24 can be discharged

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.